

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING: September 15, 1971

Appeal No. 10839 Samuel Leventhal, Appellant

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, Appellee

On motion duly made, seconded and carried with Messrs. Mackey and Scrivener not present, the following Order of the Board was entered at the meeting of September 21, 1971.

EFFECTIVE DATE OF ORDER: December 7, 1971

ORDERED:

That the appeal for permission to change a nonconforming use from grocery store to delicatessen at 234 - 15th Street, N.E., lot 116, Square 1055, be CONDITIONALLY GRANTED.

FINDINGS OF FACT

1. The subject property is located in an R-4 District.
2. The property is improved with a 2-story brick building with the first floor currently being used as a grocery.
3. The appellant appealed to the Board to change from a nonconforming use for a grocery store to a delicatessen. Appellant stated there is a soda machine called a Chilly Willy that was taken out and he has to get a delicatessen license to replace it and as a result this is the purpose of the request.
4. The appellant stated that he would not be making sandwiches to go out or any other prepared foods to sell.
5. No opposition was registered at the public hearing as to the granting of this appeal.

OPINION:

We are of the opinion that this use will not have an adverse affect upon the present character and future development of the neighborhood and will not substantially impair the purpose, intent or integrity of the Zoning Regulations and Maps.

This Order shall be subject to the following conditions:

- a. No neon or gas tube displays shall be located on the outside of the building nor shall any such displays if placed inside the building be visible from the outside.

Appeal No. 10839  
December 7, 1971  
Page 2

- b. This appeal is granted to the appellant for the right to install a machine called "Chilly Willy" but no other types of delicatessen operations are permitted on the premises.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: \_\_\_\_\_

GEORGE A. GROGAN  
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.